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TAGS: [PHUM](#) [PGOV](#) [AU](#)

SUBJECT: AUSTRIA: NEW HUMAN RIGHTS PROGRAM FOR POLICE
UNVEILED

Classified By: Acting Econ/Pol Counselor Phil Kaplan for reasons 1.4 (b
and d)

¶1. (U) Summary: The Ministry of Interior announced on December 10 (Human Rights Day) a project designed to increase the diversity of the Austrian police force and promote respect for human rights. Law enforcement authorities, facing rising crime, drew criticism during 2009 for their handling of a number of issues relating to minority rights. The human rights community has generally responded positively to the new project. End summary.

¶2. (U) In a press event coinciding with Human Rights Day, Minister of Interior Maria Fekter unveiled a plan to improve human rights compliance by the police force. The project is designed to promote awareness among law enforcement personnel of the ethnic and cultural background of all groups, as well as to develop a more ethnically diverse police force. The plan includes an independent review of the human rights performance of the police force. The project is a joint effort involving the Interior Ministry, academic experts, and human rights organizations such as the victim protection group White Ring, the Catholic charity Caritas, and Amnesty International (AI).

¶3. (U) The announcement came at the end of a year in which the police had drawn criticism from human rights advocates. In February, Vienna police arrested African-American Mike Brennan, a teacher and Amcit, in a case of mistaken identity. Authorities immediately released Brennan, but he has taken his case to the courts, charging that the police injured him in the arrest. The case is still pending. In August, police shot and killed an unarmed 14-year old who was attempting to burglarize a supermarket in Krems, though his accomplice claimed they were trying to flee when the officers opened fire.

¶4. (C) The Interior Ministry also drew criticism for keeping data on criminal activity based on the country of origin of the perpetrators, an idea that UN Special Rapporteur on Torture and Boltzmann Institute for Human Rights Director Manfred Nowak termed a trend toward "ethnic profiling." In a meeting with Econpoloff, Vienna police spokesman Peter Jedelsky rejected the charge, saying the Ministry was compiling the data in an effort to address the rising crime rate, with two-thirds of the perpetrators being foreigners. Jedelsky stressed that police would not take any action against suspects without concrete evidence.

¶5. (U) AI in a recent report sharply criticized the Austrian justice system, asserting that it failed to provide equal treatment for minorities. In the report, AI noted that the GOA has a human rights ombudsman and stated that human rights are generally respected. At the same time, however, AI asserted that discriminatory attitudes persisted in the police force, particularly toward the small number of African immigrants but also toward other recent immigrants from Eastern Europe. The Interior Ministry categorically rejected the charges.

16. (C) Speaking at a human rights day roundtable on December 4 sponsored by the Embassy, Austria AI Director Heinz Patzelt repeated the charge that there was a "two- or three-tiered justice system" in Austria. Patzelt remarked that he could see the surprise on the faces of law enforcement authorities when he informed them that Brennan was an American citizen and not an African. Other activists made similar remarks regarding unequal treatment. However, the new human rights project has impressed even some of the police's sharpest critics. Patzelt praised the effort as "a way toward a human rights milestone, which has honestly impressed me."

Comment

17. (C) This project is laudable, and with the participation of human rights groups could indeed improve human rights practices. As other observers have mentioned, the GOA by undertaking this effort is acknowledging that the problems in the law enforcement community extend beyond a few isolated cases. The police force is clearly in the process of adapting to an Austria society that is becoming more diverse.
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